

Dated: 10/2/2020

**IN THE UNITED STATES BANKRUPTCY COURT
MIDDLE DISTRICT OF TENNESSEE
NASHVILLE DIVISION**

IN RE:)	
)	BK Case No. 20-01546-MH3-13
ANTONIO DARREL FERGUSON,)	
KELLYE MICHELLE FERGUSON,)	Chapter 13
)	Judge Harrison
)	
Debtors.)	
)	

**AGREED ORDER DENYING TRUSTEE'S MOTION TO DISALLOW IN PART
THE CLAIM OF U.S. BANK TRUST, NA (PAYEE BSI FINANCIAL SERVICES)
(COURT CLAIM 16) AND REQUEST TO DETERMINE AMOUNT NECESSARY
TO CURE THE DEFAULT AND MAINTAIN PAYMENTS**

The Trustee filed a Motion to Disallow Claim in Part on August 31, 2020. Subsequent to the filing of the Trustee's Motion, the Trustee and the Creditor agree that the claim should be amended as stated below and that this Agreed Order resolves the Trustee's Motion. Therefore, as evidenced by the signatures below, the parties agree to entry of the following order:

IT IS HEREBY ORDERED that the Court's Claim #16 is amended to state a prepetition arrearage of \$22,777.23, comprised of the following amounts:

Prepetition P&I: \$13,702.92;
Fees: \$1,987.02
Escrow deficiency: \$4,818.95;
Escrow Shortage: \$2,268.34; it is further

ORDERED, the “gap” arrearage for the months of April 2020 through July 2020 shall be \$5,305.76 (calculated on a postpetition payment of \$1,326.44), bringing the total preconfirmation arrearage to \$28,082.99; it is further

ORDERED, the amount required to maintain postconfirmation payments on the claim under § 1322(b)(5) shall be \$1,326.44, pending any change in payments noticed in accordance with Bankruptcy Rule 3002.1; it is further

ORDERED, U.S. Bank Trust, N.A. (Payee BSI Financial Services) waives any attorneys’ fees and costs associated with the Trustee’s Motion and shall not assess any such fees or costs against either of the debtors or the property securing the claim.

IT IS SO ORDERED.

This order was signed and entered electronically as indicated at the top of the first page.

Approved for entry:

/s/Edward D. Russell

Edward D. Russell
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/s/ Henry E. Hildebrand, III

Henry E. Hildebrand, III
Standing Chapter 13 Trustee
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Digitally signed by /s/ Henry E. Hildebrand, III
DN: cn=US, cn=/s/ Henry E. Hildebrand, III, email=pleadings@ch13nsh.com
Reason: I am the author of this document
Location: your signing location here
Date: 2020-09-30 12:42:12
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CERTIFICATE OF SERVICE

I hereby certify that on this 30th day of September 2020, a true and correct copy of the foregoing was served by regular mail upon to be sent electronically through the Court's CM/ECF system to all parties consenting to such service and by U.S. Mail, postage pre-paid, to Antonio Darrel Ferguson, Kellye Michelle Ferguson, 1314 Alamo Ave, Murfreesboro, TN 37129.

By: /s/Edward D. Russell
Edward D. Russell

This Order has been electronically signed. The Judge's signature and Court's seal appear at the top of the first page.
United States Bankruptcy Court.